

VZCZCXYZ0003  
RR RUEHWEB

DE RUEHMD #0143 0361221  
ZNR UUUUU ZZH  
R 051221Z FEB 10 ZDK  
FM AMEMBASSY MADRID  
TO SECSTATE WASHDC 1863

UNCLAS MADRID 000143

SIPDIS

STATE FOR OES/S NANCY CARTER-FOSTER

E.O. 12958: N/A  
TAGS: [ECON](#) [SOCI](#) [UNDP](#) [UNGA](#) [SP](#)  
SUBJECT: SPAIN'S POLICIES ON DISTRACTED DRIVING

REF: A. STATE 06703  
[1](#)B. MADRID 14

[1](#)1. Summary. Econoff delivered reftel A demarche to Spanish government officials involved in the development of traffic regulations on February 3. They said that Spain passed a 2005 law making it illegal to drive while using a mobile communication device unless it is hands-free. The law created a "point system" under which drivers can lose their licenses for repeated infractions. The law, together with a related public information campaign, has helped reduce Spanish driving fatalities by 45 percent. Still, the percentage of accidents related to the use of mobile communication devices has likely risen given their increasing accessibility. Spain is engaged in the Europe-wide Road Safety Action Plan for 2011-2020 and intends to include driver distraction as one of the priority areas for joint action during the decade. End Summary.

[1](#)2. Econoff delivered reftel demarche to Ramon Ledesma, Deputy Director General for Regulatory Planning for the Traffic Directorate General, Ministry of the Interior, and Susana Estevez, Chief of Staff for the Traffic Directorate General, on February 3. Ledesma said that in 2005 Spain enacted Law 17/2005 to increase penalties for driving under the influence of alcohol, driving without a safety belt, driving too fast, driving a motorcycle without a helmet, or driving while using a mobile communication device (using hands to phone, text or manually input data into satellite navigation systems). The law was a response to Spain having one of the poorer driving safety records in Europe: 128 deaths per million persons in 2003 compared to an EU average of 103 deaths per million.

[1](#)3. Law 17/2005, together with additional implementing legislation in 2007 and 2009, created a "point system" pursuant to which drivers all start with 12 points which they can lose based on serious driving infractions -- using a mobile communication device loses 3 points and leads to a 200-euro fine for example -- until they reach zero points, at which time they lose their license (points can be added back through successfully completing classes). Ledesma described Law 17/2005 as a great success which reduced Spanish traffic fatalities by 45 percent by 2008 (ref B). Ledesma said that public outreach was a critical component of the law's success: the government used television, press, radio, and the internet to conduct public awareness campaigns on the law and the consequences of non-compliance.

[1](#)4. Still, Ledesma admitted that while Law 17/2005 had reduced the number of fatalities (and traffic accidents generally), the percentage of accidents based on distracted driving had risen. He pointed to a 2008 study that showed that the percentage of accidents in Spain related to distracted driving had risen from 30 percent in 1998 to 35 percent in 2006. Ledesma said the percentage of accidents linked to distracted driving had likely increased even more noting that a recent study showed that between 2007-2008 the number of tickets given for cell phone use when driving rose 30 percent. He blamed the increase on the greater

accessibility of cell phones and other mobile communication devices. Ledesma said that while the law might expand to include the use of TV screens (by drivers), it was unlikely to include non-electronic distractions such as smoking.

15. Estevez said that Spain was engaged in the Europe-wide Road Safety Action Plan for 2011-2020 that is being done under the auspices of Transport Commissioner Antonio Tajani. She added that Spain intended to include driver distraction as one of the priority areas for joint action during the decade.

SOLOMONT